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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
SONG, HOSUK	

ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/813,115	FAHRAEUS ET AL.	
	Examiner	Art Unit	
	Hosuk Song	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 January 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-68* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-9,11-15,17-46,48-68* is/are rejected.

7)☒ Claim(s) *5,10,16 and 47* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/26/06 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-4,6-9,11-15,17-24,26,28-39,41-46,48-68 are rejected under 35 U.S.C. 102(e) as being anticipated by Omura et al(US 6,421,042).

Claim 1: Omura disclose reading at least one pair of coordinates from an encoded base in (col.58,lines 43-49). Omura disclose checking if the pair of coordinates are within a coordinate area belonging to an authorized user in (col.59,lines 5-14). Omura disclose granting access by the authorized user to the access protected unit if the coordinates are within the coordinate area belong to the authorized user in (col.60,lines 15-27). Omura disclose reading at least one pair of absolute coordinate in (col.48,lines 7-10).

Claim 2: Omura disclose recording pattern from the base with a digital pen; and converting the recorded pattern into a pair of coordinates in (col.14,lines 58-67;col.47,lines 35-43).

Claim 3: Omura disclose coordinate area is designated by two pairs of coordinates, the first coordinate pair designating one corner of the coordinate area and the second coordinate pair designating a second corner of the coordinate area, wherein the second coordinate pair lies diagonal to the first coordinate pair in (fig.62).

Claim 4: Omura disclose checking if the sequence of coordinate pairs favorably compares to a stored sequence of coordinate pairs belonging to the authorized user and granting access by the authorized user to the access protected unit, if the sequence of coordinate pairs favorably compares to the stored sequence of coordinate pairs belonging to the authorized user in (fig.87).

Claim 6: Omura disclose reading a sequence of coordinate pairs corresponding to the displacement of a digital pen by the user and checking if the sequence of coordinate pairs favorably compares to a stored sequence of coordinate pairs associated with the access protected unit in (fig.89). Kubo disclose granting access by the authorized user to the access protected unit, if the sequence of coordinate pairs favorably compares to the stored sequence of coordinate pairs associated with the access protected unit in (col.58,lines 43-49;col.59,lines 5-12).

Claim 7: Omura disclose checking if the sequence of coordinate pairs favorably compares to a stored sequence of coordinate pairs associated with a program or function of the access protected unit and activating the program or function of the access protected unit if the sequence of coordinate pairs favorably compares to the stored sequence of coordinate pairs associated with the program or function of the access protected unit in (col.59,lines 5-12).

Claim 8: Omura disclose reading an identification code from a digital pen; checking if the identification code from the digital pen corresponds to an authorized identification code in (col.14,lines 55-61). Kubo disclose granting access by the authorized user to the access protected unit, if the

identification code from the digital pen corresponds to the authorized identification code in (col.58,lines 25-31).

Claim 9: Omura disclose checking if the identification code from the digital pen corresponds to the at least one pair of coordinates from the base in (col.14,lines 55-67).

Claim 11: Omura disclose a user unit for reading at least one pair of coordinates and a checking device which determines whether the at least one pair of coordinates are associated with at least one coordinate area for authorizing access to the access-protected unit in (col.58,lines 43-49). Omura disclose providing an enabling signal to the access protected unit when the checking device determines that access is authorized in (col.60,lines 15-27). Omura disclose reading at least one pair of absolute coordinate in (col.48,lines 7-10).

Claim 12: Omura disclose optical sensor and image processor in (col.11,lines 8-21).

Claim 13: Omura disclose base provided with a position coding pattern, wherein user unit is configured to read the position coding pattern from the base and to convert the position coding pattern to the at least one pair of coordinates in (col.47,lines 36-43).

Claim 14: Omura disclose user unit is operable to read a sequence of coordinate pairs which describe displacement of the user unit when a user is writing with the user unit in (col.58,lines 24-32).

Claim 15: Omura disclose checking device is operable to compare the sequence of coordinate pairs with a stored sequence of coordinate pairs and, on the basis of a favorable comparison, to provide an enabling signal to the access protected unit in (col.58,lines 43-49).

Claim 17: Omura disclose stored sequence of coordinate pairs represents a function or program within the access protected unit, and the checking device is operable to activate the function or program within the access protected unit based on the favorable comparison in (col.59,lines 5-14).

Claim 18: Omura disclose checking device is integrated with the user unit in (fig.1).

Claim 19: Omura disclose access protected unit is integrated with the user unit in (fig.91).

Claim 20: Omura disclose access protected unit is a digital pen in (col.14,lines 58-67).

Claim 21: Omura disclose information about a plurality of coordinate area is stored in the checking device in (col.14,lines 62-67).

Claim 22: Omura disclose access protected unit is associated with at least one of plurality of coordinate areas in (col.60,lines 15-27).

Claim 23: Omura disclose least one authorized user identity is associated with at least one of plurality of coordinate areas in (col.58,lines 49-67).

Claim 24: Omura disclose a server unit in communication with the user unit and the access protected unit in (fig.86).

Claim 26: Omura disclose network access unit in communication with the server unit in (fig.90).

Claim 28: Omura disclose checking device is integrated with the server unit in (fig.86).

Claim 29: Omura disclose read an identification code from the user unit in (col.58,lines 55-67).

Claim 30: Omura disclose memory storing information about at least one coordinate area; a processor operative to receive at least one pair of coordinates in (col.58,lines 43-49). Omura disclose determine whether at least one pair of coordinates are associated with the stored information for authorizing access to the access protected unit in (col.58,lines 43-49). Omura disclose enabling signal to the access-protected unit if the processor determines that access is authorized in (col.60,lines 15-27). Omura disclose reading at least one pair of absolute coordinate in (col.48,lines 7-10).

Claim 31: Omura disclose wherein the processor is further operative to check if at least one pair of coordinates are lying within at least one coordinate area for checking the user's authorization in (col.59,lines 5-13).

Claim 32: Omura disclose storing a sequence of coordinate pairs and the processor is further operative to receive a sequence of coordinate pairs and check the received sequence of coordinate pairs with the stored sequence of coordinate pairs for checking the user's authorization in (col.58,lines 22-32).

Claim 33: Omura disclose checking device is integrated with the user unit in (fig.91).

Claim 34: Omura disclose memory stores information about a plurality of coordinate areas in (col.58,lines 43-49).

Claim 35: Omura disclose access protected unit is associated with one of the plurality of coordinate areas in (col.59,lines 5-11).

Claim 36: Omura disclose program or function is associated with one of the plurality of coordinate areas in (col.59,lines 5-14).

Claim 37: Omura disclose communication interface operably coupled to the processor in (fig.83).

Claim 38: Omura disclose communication interface operable to communicate with a server unit in (fig.86).

Claim 39: Omura disclose communications interface is operable to communicate with a user unit in (fig.88).

Claim 41: Omura disclose communication interface is a hard-wired interface in (fig.88).

Claim 42: Omura disclose reading an identification code from a digital pen; checking if the identification code from the digital pen corresponds to an authorized identification code in (col.58,lines 24-31). Omura disclose granting access by the authorized user to the access protected unit, if the identification code from the digital pen corresponds to the authorized identification code in (col.58,lines 43-49).

Claim 43: Omura disclose reading at least one pair of coordinates from a base and checking if the pair of coordinates are within a coordinate area belong to an authorized user in (col.58,lines 20-31). Omura disclose grant access by the user to the access protected unit if the identification code from the digital pen corresponds to the authorized identification code in (col.58,lines 43-49). Omura disclose reading at least one pair of absolute coordinate in (col.48,lines 8-10).

Claim 44: Omura disclose recording a pattern from the base with a digital pen; and converting the pattern into a pair of coordinates in (col.14,lines 58-61;col.47,lines 36-43).

Claim 45: Omura disclose coordinate is designated by two pairs of coordinates, the first coordinate pair designating one corner of the coordinate area and the second coordinate pair designating a second corner of the coordinate area, wherein the second coordinate pair lies diagonal to the first coordinate pair in (fig.62)

Claims 46,48: Omura disclose reading a sequence of coordinate pairs corresponding to a displacement of the digital pen by the user and checking if the sequence of coordinate pairs favorably compares to a stored sequence of coordinate pairs belong to the authorized user in (col.59,lines 5-13). Omura disclose granting access by the authorized user to the access protected unit, if the sequence of coordinate pairs favorably compares to the stored sequence of coordinate pairs belonging to the authorized user in (col.60,lines 15-27).

Claim 49: Omura disclose reading a sequence of coordinate pairs corresponding to the displacement of the digital pen by the user and checking if the sequence of coordinate pairs favorably compares to a stored sequence of coordinate pairs associated with a program or function of the access protected unit;activating the program or function of the access protected unit if the sequence of coordinate pairs favorably compares to the stored sequence of coordinate pairs associated with the program or function of the access protected unit in (col.59,lines 5-14;col.60,lines 15-27).

Claim 50: Omura disclose reading an identification code from the digital pen and checking if the identification code from the digital pen corresponds to an authorized identification code in (col.59,lines 5-13). Kubo disclose granting access by the authorized user to the access protected unit, if the identification code from the digital pen corresponds to the authorized identification code in (col.60,lines 15-27).

Claim 51: Omura disclose checking if the identification code from the digital pen corresponds to the at least one pair of coordinates from the base in (col.14,lines 58-61;col.47,lines 35-43).

Claim 52: Omura disclose checking if the identification code from the digital pen corresponds to the access protected unit in (col.60,lines 15-27).

Claim 54: Omura disclose optically reading the at least one pair of coordinates from the base, wherein the base is provided with a position coding pattern for coding a plurality of pairs of coordinate in (col.11,lines 8-22;col.14,lines 58-61).

Claim 55: Omura disclose a plurality of units for reading at least one pair of coordinates and a plurality of bases each of which is provided with a subset belonging to a plurality of subsets of a position coding pattern, wherein each subset codes coordinates within a unique coordinate area in (col.17,lines 65-67;col.18,lines 1-3).

Claims 53,56-58: Omura disclose stored sequence of coordinate pairs corresponds to one of a symbol and a sign in(col.14,lines 51-67).

Claim 59: Omura disclose a substrate and a writing field associated with the substrate in (fig.83). Kubo disclose a position coding pattern associated with the writing field, wherein the position coding pattern encodes at least one pair of coordinate positions used to grant access authorization in (col.59,lines 5-12). Omura disclose reading at least one pair of absolute coordinate in (col.48,lines 7-10).

Claim 60; Omura disclose position coding pattern is read during an unformatted displacement of a user unit over the writing field and wherein the user unit is configured to convert the position coding pattern to the at least one pair of coordinates in (col.47,lines 35-43).

Claim 61: Omura disclose user unit is configured to read a sequence of coordinate pairs describing the displacement of the user unit and further sequence of coordinate pairs are compared to a stored sequence of coordinate pairs for granting access authorization in (col.59,lines 5-12).

Claim 62: Omura disclose stored sequence of coordinate pairs represents a user's signature in (col.60,lines 15-27).

Claim 63: Omura disclose substrate is a card in (fig.83).

Claim 64: Omura disclose wherein the card is substantially similar to a credit card with respect to size and material in (col.10,lines 55-65).

Claim 65: Omura disclose providing a position coding pattern associated with a writing field coupled to a base wherein the position coding pattern encodes at least one pair of coordinate positions uses to grant access authorization in (col.58,lines 43-49). Omura disclose moving a user unit in an unformatted manner in proximity to the writing field and reading the position coding pattern during the moving in (col.60,lines 15-27). Omura disclose converting the position coding pattern to the at least one pair of coordinates and granting the access protected unit based upon the at least one pair of coordinates in (col.59,lines 5-12).

Claim 66: Omura disclose reading a sequence of coordinate pairs describing the displacement of the user unit and comparing the sequence of coordinate pairs are to be stored sequence of coordinating pairs for granting access authorization in (col.58,lines 22-31).

Claim 67: Omura disclose stored sequence of coordinate pairs represents a user's signature in (col.60,lines 15-27).

Claim 68: Omura disclose base is a card in (fig.83).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 25,27,40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Omura et al.(US 6,421,042).

Claims 25,27,40: Omura does not specifically disclose a wireless communication unit in communication with a network access unit in communication with the server unit. Official notice is taken

that wireless communication unit in communication with a network access unit in communication with the server unit is well known in the art. One of ordinary skill in the art would have been motivated to employ wireless capability in order to conduct data transfers without bound to a fixed location thus offering the user with convenient way to conduct transaction.

Allowable Subject Matter

3. Claims 5,10,16,47 remain objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

USPTO Contact information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hosuk Song whose telephone number is 571-272-3857. The examiner can normally be reached on Tue-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HOSUK SONG
PRIMARY EXAMINER